

United States District Court
Southern District of New York

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Louis Vutton Mallette

Plaintiff

against

Wheeler Co., Inc.
et al. Lushbaugh Co.,
John Doe 1-10 Defendant

04 cv 3249 (LAK)
Docket Number

MA This cause having duly come on to be heard before me and the attorneys for all parties having appeared and advised the Court that all claims asserted herein ^{are likely to be} ~~have been~~ settled, it is

ORDERED that the above captioned action be, and the same hereby is, discontinued with prejudice but without costs; provided, however, that within *30* days of the date of this order, counsel for plaintiff may apply by letter for restoration of the action to the calendar of the undersigned, in which event the action will be restored.

DATED: *7/29/04*

[Signature]
Hon. Lewis A. Kaplan, U.S.D.J.

I hereby consent to the entry of this proposed order:

[Signature]
Attorney for Plaintiff

Attorney for Defendant

Note: Consent should be signed by the responsible Attorney for each side and not a firm name.